

Appl. No. 10/050,260
Amendment and/or Response
Reply to Office action of 17 June 2004

Page 7 of 9

REMARKS / DISCUSSION OF ISSUES

Claims 1-21 are pending in the application.

The Office action objects to claims 8, 15, and 19 for informalities. The claims are amended to cure these informalities without changing the scope of the claims in any way. It is clear that the "side faces" and "underside" are sides of the waveguide plate as a whole, while the "side walls" and "upper [and] lower sides" refer to the cavities that are provided in the waveguide plate. In claim 19 the label "another reflecting layer" is replaced by "a third reflecting layer" to avoid any confusion with "second reflecting layer".

The Office action provisionally rejects claims 1-14 and 19 under a judicially created double patenting doctrine over a copending application. A terminal disclaimer obviating the provisional rejection is included herewith. Accordingly, withdrawal of this rejection of claims 1-14 and 19 is respectfully requested.

The Office action rejects claims 1, 3-7, 10-15, 18, 19, and 21 under 35 U.S.C. §102(e) over U.S. Patent No. 6,404,131 to Kawano et al. (Kawano). Applicant respectfully traverses this rejection. As explained below, the claimed invention is patentable over any reasonable interpretation of Kawano.

Kawano does not teach or suggest at least the feature of all the independent claims (1, 8, 9, 10, and 13) of an optical waveguide plate having a cavity whose upper side is covered by a reflecting layer. Instead, Kawano teaches cavities or pits 13 in a display body 11 that contain an LED lamp 2a having a reflective coating 10, but the cavities 13 themselves do not have upper sides covered by a reflecting layer. Kawano teaches that the LEDs 2a are encapsulated in a mold member 8. It is the LED mold members 8 of Kawano, not the light accommodating pits 13 in the display body 11, that have a light reflective coating 10 at their top 8a.

Kawano nowhere suggests that the upper sides of the pits 13 can be coated or covered with a reflective surface. Evidence for this is shown by the teaching of Kawano that such a reflective coating can be applied to the underside ("rear side 11b") of the display body 11, but nowhere makes such a suggestion for the cavities or pits 13. This is evidence that no such coating for the pits 13 was considered,

Appl. No. 10/050,260
Amendment and/or Response
Reply to Office action of 17 June 2004

Page 8 of 9

taught, or suggested. It is only applicant's disclosure that teaches this inventive idea. This idea of coating the top sides of the cavities of the optical waveguide plate instead of relying on a coating within the LED body is a critical inventive idea which the prior art does not teach or suggest.

Since the prior art do not teach or suggest this critical structural element of all the claims of the present invention, withdrawal of the 35 U.S.C. §102(e) rejection of claims 1, 3-7, 10-15, 18, 19, and 21 is respectfully requested.

Regarding claims 12 and 21, applicant notes that a preamble can have patentable weight where it adds structure to the claim. Further, it is noted that claims 12 and 21 claim not just claim the device of their respective parent claims, but claim the entire respective display devices that incorporate the invention recited in their respective parent claims.

The Office action rejects claims 2 and 20 under 35 U.S.C. §103(a) over Kawano. Applicant respectfully traverses this rejection. Contrary to the argument of the Office action that "the change in shape is not significant to the function of the combination," applicant's disclosure makes clear that the shape of the side walls and upper sides of the cavities are indeed significant to the function because applicant teaches that these surfaces may be coated with a reflective surface, which is in fact a structural element of the claims, and the function of reflection is definitely changed by the shape of the walls on which the reflective surface is coated. Furthermore, the motivation suggested by the Office action for shaping the upper side of the cavities "flat" actually works against obviousness. The Office action asserts that this motivation would be "to select the shape of flat upper side to accommodate other LEDs ... which may not exactly fit to give in upper curvature of the cavities." However, the device of the embodiment that the Office action proposes should be modified, that of Kawano, teaches precisely the opposite: LEDs with a curved top. Accordingly, that would teach away from a flat-topped cavity rather than provide motivation for it. Nor does the Office action produce evidence of any suggestion to modify the device of Kawano by using flat-top LEDs. Accordingly, withdrawal of the 35 U.S.C. §103(a) rejection of claims 2 and 20 is respectfully requested.

Appl. No. 10/050,260
Amendment and/or Response
Reply to Office action of 17 June 2004

Page 9 of 9

The Office action objects to claims 16 and 17 as depending from a rejected base claim. However, the Examiner states that claims 16 and 17 would be allowable if rewritten in independent form etc. Applicant thanks the Examiner for this acknowledgment of the patentable subject matter of claims 16 and 17.

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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